GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Irrigation & CAD Department – Allegation of corruption against Sri D. Venkata Rao, formerly Assistant Engineer, Office of the Drainage Sub-Division No.II, Chirala, Prakasam District - Found guilty of the charges and convicted by the Orders of Hon'ble Special Judge for SPE & ACB Cases, Nellore dated 04-05-2012 in C.C.No.09/2008 – Imposition of punishment of dismissal from service against Sri D. Venkata Rao, formerly Assistant Engineer – Orders – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(2) DEPARTMENT

G.O.Ms.No. 96. **Dated 27-06-2012.**
Read the following:-

1. A.P.Police Dept. Message received from the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore Range, Nellore Camp at Ongole, dated 25-11-2006.
2. Proceedings No.Rc/ENC/S1(3)/31815/2006, dated 27-11-2006 of Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.
3. From the Director General, Anti-Corruption Bureau, Hyderabad, Letter Rc.No.213/RCT-NPK/2006, dated 21-07-2007.
4. Govt. Memo.No.33868/Ser.VI(2)/2006-2, dated 25-07-2007 of Irrigation & CAD (Services-VI) Department.
5. G.O.Ms.No.101, Irrigation & CAD (Ser.VI(2) Department, dated 03-07-2008.
6. From the Hon'ble Special Judge for SPE & ACB Cases, Nellore, Judgement dated 04-05-2012 in C.C.No.09/2008.

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O R D E R:

In the reference 1st read above, It has been brought to the notice of the Government that, on 23-11-2006 Sri Chinnam Rama Rao, Contractor, Narasayapalem (V), Bapatla (M), Guntur District went to the Office of Inspector of Police, Anti-Corruption Bureau, Ongole, Prakasam District and gave a report stating that he was doing contract works in Irrigation Drainage Department since about 20 years. In the year August, 2005, the work pertaining to removal of shoals at Epurupalem Village, Chirala Mandal, Prakasam District was allotted to him through the tender value of Rs.5,00,000/-. The said work was completed under the supervision of Accused Officer – 1 Sri D. Venkata Rao, Asst. Engineer, Drainage Sub-Division-II, Chirala and Accused Officer-2 Sri A. Vijaya Paul, Dy. Executive Engineer, Drainage Sub-Division No.1, Chirala, Prakasam District. After that he requested the accused officer-1 to prepare the bill for the above said executed contract work at Epurupalem. The accused officer -1 Sri D. Venkata Rao, Asst. Engineer demanded the complainant to pay Rs.10,000=00 for him and Rs.15,000=00 for accused officer – 2 to prepare the bill. Then the complainant informed the demand of accused officer – 1 to accused officer – 2. On that, accused officer – 2 instructed him to fulfill the demand of accused officer – 1 otherwise the bill not be prepared. As there was no other go, the complainant accepted to pay the demand bribe amount of Rs.25,000=00 to the accused officer – 1 and accused officer – 2. On 24-11-2006 at 17.45 hours, the complainant approached the accused officer – 1 in his office room at Chirala and requested him to prepare the pending bill for the work executed at Epurupalem. On the demand of accused officer – 1, the complainant paid the demanded bribe amount of Rs.25,000=00 to accused officer – 1. On that the accused officer – 2 asked the accused officer – 1 to prepare the bill and further asked the accused officer – 1 to keep his share of bribe amount of Rs.15,000=00 with accused officer – 1 only. Later accused officer – 1 prepared the bill and also

(P.T.O.)

recorded the M.Book and took signatures of the complainant in relevant columns without dates. Then accused officer – 1 took away his file to accused officer – 2, after some time returned to his seat, and informed that the accused officer – 2 put his initial on the movement slip and it would be forwarded to the higher officials for approval. Sodium Carbonate solution test conducted on the both hand fingers of accused officer -1 and accused officer -2 yielded positive result of the both hand fingers of accused officer – 1 only. The accused officer – 1 and accused officer – 2 were arrested on 25-11-2006 at 02.45 A.M., and produced before the Hon'ble Special Judge for SPE & ACB Cases, Nellore for judicial custody and they were remanded to judicial custody.

2. In the reference 2nd read above, orders were issued, placing the accused officer Sri D. Venkata Rao, formerly Assistant Engineer under deemed suspension from the date of his detention i.e., on 25-11-2006 F.N., and he shall continue to be under suspension until the conclusion of the disciplinary proceedings relating to the criminal charge.

3. In the reference 3rd read above, the Director General, Anti-Corruption Bureau, Hyderabad in his Final Report has recommended to prosecute the accused officer – 1 Sri D. Venkata Rao, Asst. Engineer, Office of the Drainage Sub-Division No.II, Chirala, Prakasam District and accused officer – 2 Sri A. Vijaya Paul, Deputy Executive Engineer, Office of the Drainage Sub-Division No.I, Chirala, Prakasam District in a competent Court of Law under Prevention of Corruption Act, 1988.

4. In the reference 4th read above, the Engineer-in-Chief (AW), Irrigation & CAD Dept., Hyderabad was directed to reinstate Sri A. Vijaya Paul, Dy. Executive Engineer (U/s) and Sri D. Venkata Rao, Asst. Engineer (U/s) into service without prejudice to the A.C.B. Case pending against them and post them to a far off non-focal post.

5, In the reference 5th read above, Government have accorded sanction for prosecuting the accused officer Sri D. Venkata Rao, formerly Assistant Engineer, Office of the Drainage Sub-Division No.1, Chirala, Prakasam District, in a competent Court of Law for the offences punishable under sections 7 and 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

6. In the reference 6th read above, the Hon'ble Special Judge for SPE & ACB Cases, Nellore in its Judgement dated 04-05-2012 in C.C.No.09/2008 held that "In the result, Accused-1 and Accused-2 are found guilty of a charge under Section 7 of Prevention of Corruption Act, convicted and sentenced to undergo rigorous imprisonment for 3 (three) years and to pay a fine of Rs.3,000=00 (Rupees Three thousand only) in default 3 (three) months simple imprisonment each, and are further found guilty of a charge under Section 13(2) read with Section 13 (1) (d) of Prevention of Corruption Act, convicted and sentenced to undergo rigorous imprisonment for 3 (three) years and to pay fine of Rs.3,000=00 (Rupees Three thousand only) in default 3 (three) months simple imprisonment each, under Section 248(2) Cr.P.C. Both the substantive sentences shall run concurrently:

7. Government have examined the entire matter carefully and decided to impose a punishment of dismissal from service against Sri D. Venkata Rao, formerly Assistant Engineer, Office of the Drainage Sub-Division No.II, Chirala, Prakasam District, as he was found guilty of the charges and convicted in a Trial Court Judgement dated 04-05-2012 in C.C.No.09/2008 under clause (x) of rule 9 read with sub-rule (i) of rule 25 of A.P. Civil Services (Classification,

Contnd…..3.

Control & Appeal) Rules, 1991 read with G.O.Ms.No.2, General Administration (Ser.C) Department, dated 04-01-1999. As per the amendment of Rule 25(i) to the A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 issued through G.O.Ms.No.240, General Administration (Ser.C) Department, dated 14-08-2003, it is not necessary to consult the A.P. Public Service Commission for taking any such action.

8. Now, therefore, in exercise of the powers conferred under clause (x) of rule 9 read with sub-rule (i) of rule 25 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 read with G.O.Ms.No.2, General Administration (Ser.C) Department, dated 04-01-1999, Government hereby order to impose a punishment of dismissal from service against Sri D. Venkata Rao, formerly Assistant Engineer, Office of the Drainage Sub-Division No.II, Chirala, Prakasam District, as he was found guilty of the charges and convicted in a Trial Court Judgement dated 04-05-2012 in C.C.No.09/2008.

9. The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad shall take necessary action in the matter accordingly and acknowledge the receipt of the order.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri D. Venkata Rao, formerly Assistant Engineer,
Office of the Drainage Sub-Division No.II, Chirala, Prakasam District
through Engineer-in-Chief (AW), Irrigation & CAD Dept., Hyderabad.
The Engineer-in-Chief (AW), Irrigation & CAD Dept., Hyderabad.
Copy to:
The Director General, Anti-Corruption Bureau, Hyderabad.
The Accountant General (A&E), Andhra Pradesh, Hyderabad.
The Secretary to Vigilance Commission,
A.P.Vigilance Commission, Hyderabad.
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER